



# Department of Justice

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## **JUSTICE DEPARTMENT SETTLES RACE DISCRIMINATION LAWSUIT AGAINST CRACKER BARREL RESTAURANT CHAIN**

WASHINGTON, D.C. – The Department of Justice today announced the filing and settlement of a lawsuit alleging racial discrimination against African-American customers by Cracker Barrel Old Country Store, Inc., a nationwide family restaurant chain. In the agreement, memorialized in a consent order filed with the United States District Court for the Northern District of Georgia, Cracker Barrel commits to implementing far reaching changes to policies and practices, to prevent discrimination.

The Justice Department's complaint alleges that Cracker Barrel violated Title II of the Civil Rights Act of 1964 by engaging in a pattern or practice of discrimination against African-American customers and prospective customers on the basis of their race or color. Specifically, the complaint alleges that Cracker Barrel:

- allowed white servers to refuse to wait on African-American customers;
- segregated customer seating by race;
- seated white customers before African-American customers who arrived earlier;
- provided inferior service to African-American customers after they were seated; and
- treated African-Americans who complained about the quality of Cracker Barrel's food or service less favorably than white customers who lodged similar complaints.

The Justice Department's investigation revealed evidence of such conduct in approximately 50 different Cracker Barrel restaurants in seven states: Alabama, Georgia, Louisiana, Mississippi, North Carolina, Tennessee, and Virginia. The Justice Department's investigation included interviews with approximately 150 persons, mostly former Cracker Barrel employees, of whom 80 percent stated that they experienced or witnessed discriminatory treatment of customers at a Cracker Barrel restaurant. The investigation suggested that managers often directed, participated in, or condoned the discriminatory behavior.

Filed with the complaint today in federal court was a jointly filed consent order resolving the allegations. Under the consent order, which remains subject to court approval and which covers Cracker Barrel restaurants nationwide, Cracker Barrel will hire an outside auditor to ensure compliance with its terms. The five-year agreement requires Cracker Barrel to:

- adopt and implement effective nondiscrimination policies and procedures;
- implement new and enhanced training programs to ensure compliance with Title II and the consent order;
- develop and implement an improved system for investigating, tracking, and resolving discrimination complaints;
- retain an outside contractor to test the compliance of Cracker Barrel restaurants with Title II and the order; and

- publicize the company's nondiscrimination policies.

"To discriminate on the basis of race in the provision of food and service tramples most gravely not only the civil rights laws, but also our nation's promise of equality," said R. Alexander Acosta, Assistant Attorney General for the Civil Rights Division. "We take discrimination in the provision of food and services as seriously today as we did when the Civil Rights Act was passed almost 40 years ago. Where we find evidence, as we did here, that individuals of any race are receiving anything less than full and equal access to public accommodations, we will act."

Title II of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, religion or national origin in places of public accommodation, such as restaurants and hotels. Under Title II, the Civil Rights Division can obtain injunctive relief that changes policies and practices to remedy customer discrimination. Title II does not authorize the Division to obtain specific relief, such as monetary damages for individual customers who are victims of discrimination. Since January 2001, the Civil Rights Division has resolved 14 cases and investigations involving alleged pattern or practice violations of this law.

A copy of the consent decree can be obtained on the Justice Department's website at <http://www.usdoj.gov/crt/housing/caselist.htm>.

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